Moser
Patterson &
Sheridan, LLP

3040 Post Oak Blvd, Surte 1500 Houston, TX 77056-6582 TEL 713.623.4844 FAX /13.623.4846

3250 (115-20)

## **FACSIMILE COVER SHEET**

DATE:

April 29, 2005

FILE NO:

AMAT/2592.C9/DSM/LOW K/JW

TO:

Examiner: David Nhu

FAX NO:

571-273-1792

**COMPANY:** 

**USPTO** 

FROM:

Keith M. Tackett

PAGE(S) with cover:

3

**ORIGINAL TO** 

FOLLOW?

☐ YES ⊠ NO

### \*\*COURTESY COPY\*\*

#### TERMINAL DISCLAIMER AND FEE TRANSMITTAL

TITLE:

Method of Decreasing the K Value in SIOC Layer Deposited by

**Chemical Vapor Deposition** 

U.S. SERIAL NO.:

10/789,209

FILING DATE:

February 27, 2004

INVENTOR: EXAMINER:

Gaillard, et al. David Nhu

**GROUP ART UNIT:** 

2818

**CONFIRMATION NO.:** 

9101

#### **CONFIDENTIALITY NOTE**

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PTO/ SB/26 (09-04)

Approved for use through 07/31/2008, OMB 0651-0031

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# TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional) AMAT/2592.C9/DSM/LOW K/JW

In re Application of: GAILLARD, ET AL.

Application No. 10/789,209 Filed: FEBRUARY 27, 2004

For METHOD OF DECREASING THE K VALUE IN SIOC LAYER DEPOSITED BY CHEMICAL VAPOR DEPOSITION

The owner\*, <u>Applied Materials</u>, Inc., of <u>Santa Clara, California</u>, having (100%) one-hundred percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. <u>6,627,532</u> as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the Instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. his agreement runs with any patent granted on the Instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later.

expires for failure to pay a maintenance fee;

is held unenforceable;

is found invalid by a court of competent jurisdiction;

is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;

has all claims canceled by a reexamination certificate;

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

is reissued; or

is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. 🔲	or submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency	٠.
	etc.), the undersigned is empowered to act on behalf of the business/organization.	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any paterfit issued thereon.

. 🗵	The undersigned is an attorney of record.	Reg. No. 32,008	CO	5/24/05
		Skg	nature	Date

Kelth M. Tackett

Typed or printed name

713-623-4844

Telephone Number

.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a banefil by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the hadvidual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA22313-1450.



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Application Number   107/89.209   FEBRUARY 27, 2004   Filing Date   FEBRUARY 27, 2004   Filing Date   FEBRUARY 27, 2004   First Named Inventor   GALLARD, ET AL.	Application Number   107/89.209   FEE TRANSMITTAL   Fing Date   FEBRUARY 27, 2004   Fing Name   OAVID NHU     OALLARD, ET AL.   OA	7	Effective Foos bursuant to the Consolida	Effective on 12/08/2004. es pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4816).  Complete if Known							1		
Applicant claims small entity statue. See 37 CFR 1.27   Examiner Name   DAVID NHU	First Named Inventor					•		cation Number	10/789,209				
Applicant claims small entity status. See 37 CFR 1.27   Examiner Name   DAVID NHU	Applicant claims small entity status. See 37 CFR 1.27   Examiner Name   DAVID NHU	ſ		_		AL	Filing	Date	FEBRUARY 27	, 2004			
METHOD OF PAYMENT (check all that apply)	TOTAL AMOUNT OF PAYMENT  (\$) 130.00    At Unit   2818		for	FY 2	2005		First	Named Inventor	GAILLARD, ET	AL.			
METHOD OF PAYMENT (\$) 130.00   Attorney Docket No.   AMATZS92.CS/DSMLOW KUW	METHOD OF PAYMENT (cheick all that apply)		Applicant claims small	entity st	atus. See 37	7 CFR 1.27	_		DAVID NHU				
METHOD OF PAYMENT (check all that apply)    Check   Credit Card   Money Order   None   Other (please identify) :   Deposit Account Deposit Account Number: 20-0782/AMAT/2592 CS/KMT Deposit Account Name: Moser, Patterson & Sharldan, LL.P.   For the above-identified deposit account, the Director is hereby authoritized to: (check all that apply)   Scharge fee(s) indicated below   Charge fee(s) Indicated below, except for the filing fee   Charge fee(s) indicated below, except for the filing fee   Charge fee(s) indicated below, except for the filing fee   Charge fee(s) I	METHOD OF PAYMENT (check all that apply)  Check		T0741 4460445 00 044		(2)		J hA	Art Unit 2818					
Check	Check	/	TOTAL AMOUNT OF PAY	MENI	(\$) 130.00		Atton	Attorney Docket No. AMAT/2592.C9/DSM/LO					
Deposit Account Deposit Account Number: 20-0782/AMAT/2592 CS/KMT Deposit Account Name: Moser, Patterson & Sheridan, LL.P.  For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  Charge fee(s) indicated below	Deposit Account Deposit Account Number: 20-0782/AMAT/2592 C9/KMT Deposit Account Name: Moser, Patterson & Shgridan, L.L.P. For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)    Charge fee(s) indicated below		METHOD OF PAYMENT	(check	all that app	ly)		· · · · · · · · · · · · · · · · · · ·					
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Charge fee(s) indicated below. Charge fee(s) Indicated below, except for the filing fee    Charge any additional fee(s) or underpayments of fee(s)   Credit any overpayments	Charge fee(s) indicated below. except for the fiting fee   Charge any additional fee(s) or underpayments of fee(s)   Credit any overpayments   Under 37 CFR 1.16 and 1.17     WARININGS: Information on this form was become public. Credit card information should not be Included on this form. Provide credit card information and authorization on PTO-2038.    FEE CALCULATION	Ø	Deposit Account De	posit Acc	ount Number	r: <u>20-0</u> 782/AN	/AT/2592	.C9/KMT Depos	it Account Nam	ie: <u>Moser, l</u>	Patterson	& Sheridan, L.I	_ <u>L.P.</u>
Charge any additional fee(s) or underpayments of fee(s) Under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit earl information should not be included on this form. Provide credit card information and authorization on PTO-2038.  FEE CALCULATION  1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES Small Entity Application Type Fee (\$) Fee(\$)	Charge any additional fae(s) or underpayments of fee(s) Under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit eard information should not be included on this form. Provide credit card information and authorization on PTO-2038.  FEE CALCULATION  1. BASIC FILING, SEARCH, AND EXAMINATION FEES FILING FEES SEMAIL Entity Small Entity Application Type Fee (\$) Fee(\$)		For the above-ide	ntified de	posit account	t, the Directo	r is hereb	y authorized to:	(check all that a	apply)			
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WARNING: Information on this form may become public. Credit eard information should not be included on this form. Provide credit card information and authorization on PTO-2038.    FEE CALCULATION	WARNING: Information on this form may become public. Credit eard information should not be included on this form. Provide credit card information and authorization on PTO-2038.    FEE CALCULATION					nderpayment	s of fee(s	Cred	lit any overpayn	nents			
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	3. APPLICATION SIZE FEE		_	•	claims pald (or	r, if greater tha	n 3.						
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer		ditional 50											
listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50										enf Fee	(\$) F	aa Þald /¢\	
listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			-							141 C		
listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)	sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)	4.					<b>_</b>		, ···		Fe		
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listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets	sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).  Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Pald (\$)  - 100 = / 50 = (round up to a whole number) x =  4. OTHER FEE(\$)  Non-English Specification, \$130 fee (no small entity discount)  Other (e.g., late filling surcharge): TERMINAL DISCLAIMER \$130.00  SUBMITTED BY  Registration No. (Attomot/Agent) 32,008  Telephone 713-623-4844	_			<del></del>	<del></del>				——————————————————————————————————————	/	<del> / /</del>	

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to life (and by the USPTO to process) an application. Carifognitally is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting line completed application to the USPTO. Turns will vary depending upon the brightful case. Any comments on the amount of time you require to complete this form aid/or suggestions for reducing this byroin, should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, U.S. Department of Commence, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

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